

charge against the prisoner, which was refused; and the court, being cleared, gave it as their opinion, that no charge whatever against the prisoner can be received, but such as is stated in the prosecutor's letter to the commander in chief.

The court being then opened,

Mr. THOMAS RUSSELL, captain's clerk of his Majesty's ship the *Thistle*, was sworn, and examined as follows.

Prosecutor.—Question. In the latter end of October last, did you not bring me the *Thistle's* Monthly Book for August and September, 1787, and tell me the captain desired I would sign it?

Answer. Yes.

Q. What answer did I make you?

A. As near as I can recollect I met you coming out of the gun-room; you desired I would leave the book upon your bureau, and you should be down presently.

Q. Was that book signed by captain Coffin?

A. Yes.

Q. Was not John Francis, able seaman, mustered on that book, the whole time the book was made for?

A. Yes.

Q. Do you know if John Francis was on board the ship in the months of August and Sept. last?

A. I believe not.

Q. Was not Christopher Carleton and Thomas Carleton rated able seamen in the same book, and mustered for the whole time they were rated?

A. Yes.

Q. On